



CRW

S&H Form: (2/01)  
Docket No. 1466.1040

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Hiroyuki IRIE et al.

Serial No: 09/893,903

Group Art Unit: 2142

Confirmation No. 4931

Filed: June 29, 2001

Examiner: Mehmet B. GECKIL

For: COMMUNICATION SYSTEM, INFORMATION AGENT METHOD AND RECORDING  
MEDIUM

**COMMUNICATION TO THE EXAMINER**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Information Disclosure Statements were filed herein on June 29, 2001 and March 3, 2005. A copy of each of these Information Disclosure Statements is attached hereto.

The Information Disclosure Statement filed June 29, 2001 was not acknowledged in the first Office Action mailed October 20, 2004 nor thereafter. Consideration of the June 29, 2001 Information Disclosure Statement and the citations provided therewith are respectfully requested; it is further requested that the Examiner confirm same, by signing the attached Form PTO-1449 and initialing same adjacent each reference.

On the other hand, whereas the Notice of Allowability acknowledges the Information Disclosure Statement filed March 3, 2005, the Examiner did not consider reference AG and, instead, in the copy of the signed Form PTO-1449 which was provided with the Notice of Allowability, drew a line through Reference AG and wrote in the margin "no English explanation of relevancy 'MG'".

Applicants respectfully submit that the Examiner errs in the foregoing contention as to the March 3, 2005 Information Disclosure Statement. The Examiner's attention is addressed to the statement of relevancy of Attachment 1(e) of that March 3, 2005 Information Disclosure

Serial No: 09/893,903

Docket No. 1466.1040

Statement, which pointed out that Reference AG, Toshiaki Atsumoto "Home page" of May 1999, provides a summary of a skin diagnosis service provided by Kanebo Ltd." Applicants respectfully submit that the Statement of Relevancy of Attachment 1(e) is in compliance with the rules (37CFR 1.98) and entitled Reference AG to consideration by the Examiner. The Examiner's failure to grant Reference AG such consideration is without basis under the rules.

Accordingly, it is respectfully requested that the Examiner return a copy of the Form PTO-1449 accompanying the Information Disclosure Statement filed March 3, 2005, signed and initialed to indicate that the reference AG listed therein has been considered by the Examiner.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

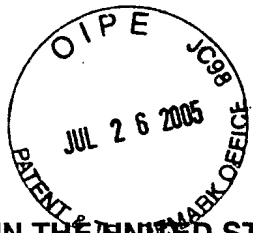
*July 25, 2005*

By: \_\_\_\_\_

*H. J. Staas*

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COPY

Attorney Docket No. 1466.1040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hiroyuki IRIE et al.

Application No.: 09/893,903

Group Art Unit: 2142

Filed: June 29, 2001

Examiner: Mehmet B. GECKIL

For: COMMUNICATION SYSTEM, INFORMATION AGENT METHOD AND RECORDING MEDIUM

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications.
- 1c. ☐ English language copy of a communication(s) from a foreign Patent Office or a PCT International Search Report.
- 1d. ☒ English language translation (Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached Form PTO-1449.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of non-English publications.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(b):

*(Check either Item 2a or 2b or 2c or 2d)*

- 2a. ☐ Within three months of the filing date of a national application;
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

*(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR  
3b. ☒ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:  
☒ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND  
4b. ☐ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:  
☐ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) (*applicable if Item 3a or Item 4a is checked*)

*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.  
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

*(Check appropriate Items 6a and/or 6b)*

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. \_\_\_, filed on \_\_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).  
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. \_\_\_, filed on \_\_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a Request for Continued Examination under 37 CFR § 1.114.

*(Check either Item 7a or 7b)*

- 7a. ☐ The Issue Fee has not been paid.  
7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A Request for Continued Examination under 37 CFR § 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.114(a), respectively.

8. ☐ This is a Supplemental Information Disclosure Statement.

*(Check either Item 8a or 8b)*

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on \_\_\_\_\_.  
8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed \_\_\_\_\_.

9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*(Check appropriate Items 9a, 9b, 9c and/or 9d)*

- 9a. ☐ satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)  
9b. ☐ set forth in the application.  
9c. ☐ satisfied for the non-English language publication(s) indicated on the attached Form PTO-1449 as having an English language translation (complete or relevant portion(s)) attached thereto.  
9d. ☒ enclosed as Attachment 1(e), hereto.

10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

COPY


Serial No.: 09/893,903

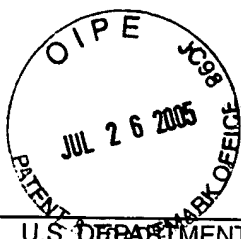
11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 3 March 2005  
1201 New York Ave., N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

By:   
James T. Strom  
Registration No. 48,702



# COPY

Sheet 1 of 1

FORM PTO-1449  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO.	APPLICATION NO.
		1466.1040	09/893,903
		FIRST NAMED INVENTOR	
		Hiroyuki IRIE et al.	
		FILING DATE	GROUP ART UNIT
		June 29, 2001	2142

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						

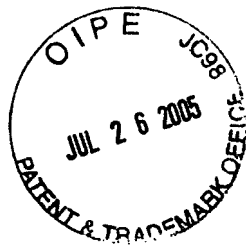
### FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	TRANSLATION YES NO		ABSTRACT
	AE	11-175617	7/2/1999	Japan			X
	AF	11-250165	9/17/1999	Japan (with Abstract of corresponding document: EP0917119)			x
	AG	2001-26612	12/15/16	Japan		X	
	AH						
	AI						

### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

				TRANSLATION YES NO	
	AJ	Toshiaki ATSUMOTO, "Home page", Nikkei Multimedia, Nikkei Business Publications Inc., No. 47, page 112-115.		X	

EXAMINER	DATE CONSIDERED
<b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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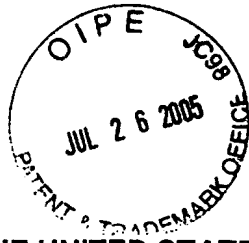
**ATTACHMENT 1(e)**

**EXPLANATIONS OF RELEVANCY  
OF REFERENCES**

ATTORNEY DOCKET NO.	APPLICATION NO.
1466.1040	09/893,903
FIRST NAMED INVENTOR	
Hiroyuki IRIE et al.	
FILING DATE	GROUP ART UNIT
June 29, 2001	2142

JP11-175617	July 1999	A computer system in which information is acquired by using a user ID and a password.
JP11-250165	Sep. 1999	This document discloses a computer system or a network system.
Toshiaki ATSUMOTO "Home page"	May 1999	Introduces a summary of a skin diagnosis service provided by Kanebo Ltd.





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S&H Form: (2/01)

Attorney Docket No. 1466.1040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hiroyuki IRIE et al.

Application No.:

Group Art Unit:

Filed: June 29, 2001

Examiner:

For: COMMUNICATION SYSTEM, INFORMATION AGENT METHOD AND RECORDING MEDIUM

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.

2. ☒ In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is

(Check appropriate Items 2a, 2b, 2c and/or 2d)

- 2a. ☐ satisfied because all non-English language publications were cited on the enclosed "English-language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, pp. 600-100 to 600-101, Rev. 1, Feb. 2000.)
- 2b. ☐ set forth in the application.

COPY


S&H Form: (2/01)

- 2c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 2d. ☒ enclosed as Attachment 1(e), hereto.
3. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§1.97(g) and (h).

Respectfully submitted,

STAAS & HALSEY LLP

Dated: June 29, 2001  
700 Eleventh Street, N.W., Suite 500  
Washington, D.C. 20001  
Telephone: (202) 434-1500  
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By:   
H. J. Staas  
Registration No. 22,010



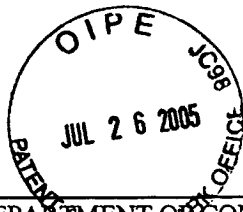
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ATTACHMENT 1(e)

S&H Form: (2/01

EXPLANATIONS OF RELEVANCY OF REFERENCES	ATTORNEY DOCKET NO. 1466.1040	APPLICATION NO.
	FIRST NAMED INVENTOR Hiroyuki IRIE et al.	
	FILING DATE June 29, 2001	GROUP ART UNIT

Japanese Reference AG corresponds to US reference AA.



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S&amp;H Form: (2/01)

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NO.  
1466.1040

APPLICATION NO.

FIRST NAMED INVENTOR  
Hiroyuki IRIE et al.FILING DATE  
June 29, 2001

GROUP ART UNIT

**LIST OF REFERENCES CITED BY APPLICANT***(Use several sheets if necessary)***U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,725,384	03/1998	Ito et al.			
	AB						
	AC						
	AD						
	AE						
	AF						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AG	8-292937	11/1996	Japan				X
	AH							
	AI							
	AJ							
	AK							
	AL							

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AM	
	AN	
	AO	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.